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10-25-06

PTO/SB/21 (6-99)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10758,307	
	<b>Filing Date</b>	January 14, 2004	
	<b>First Named Inventor</b>	Melody A. Cobleigh	
	<b>Group/Art Unit</b>	1636	
	<b>Examiner Name</b>	Schlapkohl, Walter	
<b>Total Number of Pages in This Submission</b>	11	<b>Attorney Docket Number</b>	39740-0008A

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Office Action <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> <b>ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):</b> <input checked="" type="checkbox"/> <b>Stamped Return Postcard</b>
<b>Remarks</b>		
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39740-0008A.		

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

<b>Firm or Individual name</b>	<b>HELLER EHRMAN LLP</b>			<b>LESLIE A. MOOI (Reg. No.37,047)</b>	
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<b>Signature</b>					
<b>Date</b>	October 23, 2006		<b>Customer Number:</b>	25213	

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: <b>MAIL STOP AMENDMENT</b> , Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: <b>October 23, 2006</b>			
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<b>Signature</b>		<b>Date</b>	<b>October 23, 2006</b>

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**PATENT**

Attorney Docket No. 39740-0008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	Examiner: Schlapkohl, Walter
	)	
Cobleigh et al.	)	Art Unit: 1636
	)	
Application Serial No. 10/758,307	)	Attorney's Docket No. 39740-0008A
	)	
Filed: January 14, 2004	)	Customer No. 25213
	)	
For: GENE EXPRESSION MARKERS	)	
FOR BREAST CANCER	)	
PROGNOSIS	)	
	)	

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**Express Mail No.: EV 582 635 562 US**

**Mailing Date: October 23, 2006**

**RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT**

**MAIL STOP PATENT AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

This is a response to the Restriction Requirement dated September 21, 2006. Prior to substantive examination of the above-identified patent application Applicants respectfully request the entry of the following amendments.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.